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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7 \* \* \*

8 NICHOLAS ERNEST MARTINO,

9 Plaintiff,

10 v.

11 UNITED STATES FEDERAL  
12 GOVERNMENT, INTERNAL REVENUE  
13 SERVICE, UNITED STATES OF  
14 AMERICA,

Defendants.

Case No. 2:13-cv-00113 -APG-GWF

**ORDER**

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16 "A civil action is commenced by filing a complaint with the court."Fed.R.Civ.P. 3.  
17 On January 22 2013, Plaintiff attempted to commence this action by filing a "Verified  
18 Petition for Temporary Injunction" [Dkt. #1], but Plaintiff did not file a Complaint. Thus,  
19 this action was not properly commenced pursuant to the Federal Rules of Civil  
20 Procedure. Accordingly,

21 **IT IS HEREBY ORDERED** that this matter is dismissed without prejudice to  
22 Plaintiff's ability to properly commence a new action. The Clerk of the Court shall accept  
23 no further filings in this matter.

24 Dated: June 19, 2013.

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26 **ANDREW P. GORDON**  
27 **UNITED STATES DISTRICT JUDGE**  
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